

**Before the  
Federal Communications Commission  
Washington, D.C.**

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In the Matter of )  
)  
The Development of Operational, )  
Technical and Spectrum Requirements )  
For Meeting Federal, State and Local )  
Public Safety Agency Communication )  
Requirements through the Year 2010 )  
)  
Establishments of Rules and Requirements )  
For Priority Access Service )

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WT Docket No. 96-86

PETITION FOR  
RECONSIDERATION  
BY:

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King Communications U.S.A., Inc. files these comments on November 11, 1998, in regard to the Federal Communications Commission's First Report and Order and Third Notice of Proposed Rulemaking on WT Docket No. 96-86.

We respectfully request reconsideration of the Technical Requirements for Interoperability section of WT Docket No. 96-86, paragraphs 105 through 116, where the Commission expresses its preference for interoperability standards to be developed by an ANSI-accredited industry body and recommended by the National Coordination Committee for consideration by the Commission.

In support of this request for reconsideration, we would like to bring to the Commission's attention that a group of highly qualified experts, representing the Association of Public Safety Communications Officials International, the Telecommunications Industry Association, the Department of Defense, the National Communications System, the National Telecommunications and Information Administration, the National Association of State Telecommunications Directors, the U.S. Department of the Treasury, the U.S. Department of Justice and a number of other highly responsible user's groups, participating as a Project 25 New Technology Standards group, has spent many thousands of hours researching and working in a cooperative effort to develop a standard which may be used by the users of digital radio as an interoperability channel standard.

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The four main objectives upon which the Project 25 committees and working groups were focused on included:

- Provide enhanced functionality and user-friendly equipment.
- Improve spectrum efficiency
- Foster competition among multiple vendors through open systems.
- Allow effective, efficient and reliable intra-agency and inter-agency communications.

Since the development of Project 25, Phase I of the Standards has been completed, published and embraced by numerous user groups, completed documents have been sent to T.I.A. by the groups recommending approval, either as telecommunications systems bulletins or interim standards. With references to the National Technology Transfer and Advancement Act of 1995 (the Act)(Public Law 104-113), the Under-Secretary for Technology of the U.S. Department of Commerce indicated that the adoption of Project 25 standards by T.I.A. means "...that by operation of section 12(d) of the Act, Federal agencies and departments are required by law to use the T.I.A. Project 25 standards to carry out policy objectives and other activities, including procurements, unless such use is inconsistent with applicable law or is otherwise impractical." It further states, "...individual agencies, of course, are responsible for reviewing applicable statutes, and finding whether their use is otherwise impractical."

This obvious endorsement of the Standards developed under Project 25 by the U.S. Department of Commerce, and recognizing the participation of not only users from various governmental user groups, from Federal, State and Local agencies, would appear to place a great deal of credibility on the work done by this group. It should also be noted at this point, that the Association of American Railroads (AAR) has endorsed the Project 25 Standards, and is currently working on a migration plan which will take them from their present use of the frequency spectrum to a new, narrow-band allocation of their spectrum, and incorporate the use of digital radio at the same time, using the Project 25 standards as their guidelines. Along with technical expertise from the various manufacturing representatives, these various committees and groups have consistently kept in the forefront all the considerations felt important in order to meet the four objectives stated earlier. The refarming of the frequency spectrum, and the resulting narrowing of the channel allocations; the interoperability between equipments and systems from different manufacturers; the obvious need for interagency communications; all have been kept in the forefront of all committee actions.

The development work of these committees has been underway for approximately nine years, with approximately four series of weeklong meetings per year. A great deal of background and research work has been an integral part of the committees' work, over and above meeting time. A rough accounting of the cost of expended time on the part of the committee members reaches a figure in excess of over \$10 Million during this period of time. Virtually every level and discipline of expertise has been brought to bear in development of the standard to this point. Technical work is complete on Phase II of the Common Air Interface (CAI) standard, which deals with 6.25 kHz channel spacing. This section is currently out for balloting among the membership.

It is inconceivable that this body of work, the result of such a monumental effort on the part of such a diverse group, should either be dismissed out of hand, or duplicated by a similar group, if

indeed such a similar group could be assembled. The gathering of such a group of experts in their respective fields is no easy task. It is likely that any attempt to assemble such a group, such as is proposed for the National Coordination Committee (NCC) would, of necessity, include many of the same individuals who make up the Project 25 team.

In the interest of efficiency in the pursuit of the standards necessary for the administration of new technology, as represented by the digital radio systems, and in observing fiscal responsibility in the expenditure of the funds entrusted to the government by the taxpayers, we strongly urge the Commission to reconsider the adoption of ANSI/TIA/EIA 102BAAA, Project 25's Common Air Interface standard. As many agencies throughout the country, at all levels of government, are preparing to make the transition to Project 25 standards, with the resulting benefits, and many manufacturers have incurred the expense of developing suitable equipment intended to meet these standards, anything less than adoption of this as the Commission's standard for the administration of digital radio, will serve as a serious setback to the industry, the communications facilities of all government agencies, Federal, State and Local, and also as repudiation of the efforts of many widely-respected participants in the Project 25 effort, whose efforts have been tireless, selfless and admirable by any standard. We strongly urge your favorable consideration of this request.

Submitted by:

A handwritten signature in black ink, appearing to read "R. E. Lowell", is positioned above the typed name.

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November 11, 1998